

**REMARKS**

Claims 1-4 currently are pending.

**35 USC § 103(a)**

Claims 1 and 2 are rejected under 35 USC § 103(a) as being unpatentable over Nair et al. (US 6,194,469) in view of Yoshikumi et al. (US 4,440,757). Claims 3 and 4 are rejected under 35 USC § 103(a) as being unpatentable over Nair et al. (US 6,194,469) in view of Yoshikumi et al. (US 4,440,757).

In the last response, applicants amended claim 1 so that R<sup>4</sup> is H, flavone, 5-OH-flavone, 7-OH-flavone and 7,8-(OH)2-flavone. Nair et al. and Yoshikumi et al. taken individually or together do not teach nor suggest claim 1 as invented. Compounds of the formula I or II wherein R<sup>4</sup> is H, flavone, 5-OH-flavone, 7-OH-flavone and 7,8-(OH)2-flavone have the advantageous effect of inhibiting biosynthesis of COX-2 and NfxB. The examiner has not respond to this contention in the latest office action.

Nair et al. and Yoshikumi et al. both relate to a different type of compounds and do not have any common structural features which would motivate a person of ordinary skill to combine them. Even if combined there would not be any hint of the effect of the said compounds on the biosynthesis of COX 2- and Nfxb.

Applicants believe the arguments submitted in applicants last response are still fully applicable in the present case.

For the reasons expressed above, it is urged that the prior art references cited by the examiner either singly or in combination fail to anticipate or suggest the present invention as defined by the amended claims. Accordingly, a *prima facie* case of

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obviousness has not been established by the examiner, and the rejection under 35 USC § 103 should be withdrawn.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such account.

Respectfully submitted,

KEIL & WEINKAUF



Daniel S. Kim  
Reg. No. 51877

1350 Connecticut Ave., N.W.  
Washington, D.C. 20036  
(202)659-0100  
DSK/sb